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NOTICE OF ALLOWANCE AND FEE(S) DUE

26304

7590

09/05/2008

KATTEN MUCHIN ROSENMAN LLP
575 MADISON AVENUE
NEW YORK, NY 10022-2585

EXAMINER

NGUYEN, HAI V.

ART UNIT

PAPER NUMBER

2618

DATE MAILED: 09/05/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,944	04/13/2006	Giovanni Mazzarolo	SAIC 22.472	6795
TITLE OF INVENTION: GARMENT HAVING PROTECTIVE INFLATABLE DEVICES				

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	12/05/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop [ISSUE FEE] address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

26304 7590 09/05/2008
KATTEN MUCHIN ROSENMAN LLP
575 MADISON AVENUE
NEW YORK, NY 10022-2585

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/575,944 04/13/2006 Giovanni Mazzarolo SAIC 22.472 6795

TITLE OF INVENTION: GARMENT HAVING PROTECTIVE INFLATABLE DEVICES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	12/05/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
NGUYEN, HAI V	2618	455-556200

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____
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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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10/575,944	04/13/2006	Giovanni Mazzarolo	SAIC 22.472	6795
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KATTEN MUCHIN ROSENMAN LLP 575 MADISON AVENUE NEW YORK, NY 10022-2585			NGUYEN, HAI V.	
			ART UNIT	PAPER NUMBER
			2618	

DATE MAILED: 09/05/2008

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 205 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 205 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

10/575,944

Examiner

HAI V. NGUYEN

Applicant(s)

MAZZAROLO, GIOVANNI

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the communication received on 04 June 2008.
2. ☒ The allowed claim(s) is/are 11-23 are renumbered as 1-13.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 04/13/2006
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date ____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Hassan A. Shakir, Applicant's Agent # 53,922 on 28 August 2008.

The application has been amended as follows:

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Amendments to the Claims:

1.-10. Cancelled.

11. (Currently Amended) A garment for protection against bumps and shocks for a user traveling on a moving means;

the said moving means having therein mounted sensor means and a first functional module, the said first functional module comprising a first power supply unit, a first programmable logic unit for ~~processing into a signal the information received from the sensor means~~ reading an identification serial code signal, a first non-volatile memory for storing a ~~serial code~~ said identification serial code signal identifying the said first functional module, and a radio transmitter;

the said garment comprising
an inflatable protective device,

a second functional module comprising a second power supply unit, a second programmable logic unit, and

a radio receiver connected to the said second programmable logic unit, the said radio receiver being associated with the said radio transmitter mounted on the said moving means,

a trigger circuit for activating the said inflatable protective device in response to a danger radio signal received from the said radio transmitter,

a second non-volatile memory for managing and storing the said identification serial code signal received from the said first functional module,

a third functional module associated with the said second functional module, the said

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third functional module and comprising at least one push-button, a display, and a related driving circuit;

wherein the said third functional module is used by the user to select the said identification serial code signal identifying the said first functional module in order to activate the said inflatable protective device when danger occurs.

12. (Currently Amended) The garment of claim 11, wherein said third ~~user~~ functional module is integrated in said second functional module.

13. (Currently Amended) The garment of claim 11, wherein said third ~~user~~ functional module is external to said second functional module.

14. (Currently Amended) The garment of claim 11, wherein the said radio receiver comprises a radio receiving unit and a decoder.

15. (Currently Amended) The garment of claim 11, wherein the said display shows the said serial code stored in the said second non-volatile memory.

16. (Currently Amended) The garment of claim 11, wherein the said second power supply comprises a battery disposed in the said garment for energizing the said second functional module.

17. (Currently Amended) The garment of claim 11, wherein the said second programmable logic unit is able to operate in a state of low energy consumption.

18. (Currently Amended) The garment of claim 11, further comprising a second inflatable protective device, the said third interface module sending a control signal to select which of the said inflatable protective devices are to be inflated when danger occurs.

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19. (Currently Amended) The garment of claim 11, wherein the said second programmable logic unit comprises a safety checks of the said second voltage supply.

20. (Currently Amended) The garment of claim 11, wherein the said second programmable logic unit interfaces with sound or mechanical alarm indicators.

21. (Currently Amended) The garment of claim 11, wherein the said garment is configured as a motorcycling jacket.

22. (Currently Amended) A garment for protection against bumps and shocks for a user travelling on one of a plurality of moving means;

each of the said moving means having therein mounted respective sensor means and a respective first functional module, the said first functional module comprising a first power supply unit, a first programmable logic unit for ~~processing into a signal the~~ information received from the sensor means reading one of a plurality of identification serial code signals, a first non-volatile memory for storing said one of a plurality of identification serial codes signals, and a radio transmitter, each serial code uniquely identifying the said respective first functional module;

the said garment comprising

an inflatable protective device,

a second functional module comprising a second power supply unit, a second programmable logic unit, and

a radio receiver connected to the said second programmable logic unit, the said radio receiver being associated with the said radio transmitter mounted on the said moving means,

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a trigger circuit for activating the said inflatable protective device in response to a danger radio signal received from the said radio transmitter,

a second non-volatile memory for managing and storing at least two of the said plurality of identification serial codes signals,

a third functional module associated with the said second functional module, the said third functional module and comprising at least one push-button, a display, and a related driving circuit;

wherein the said third functional module is used by the said user to select the said one of the said plurality of identification serial codes signals identifying the said first functional module associated with the said moving means selected by the said user for use while wearing the said garment in order to activate the said inflatable protective device when danger occurs while using the said moving means.

23. (Currently Amended) A system for protection against bumps and shocks for a user travelling on one of a plurality of moving means; the system comprising:

sensor means and a respective first functional module mounted on each of the said moving means, the said first functional module comprising a first power supply unit, a first programmable logic unit for ~~processing into a signal the information received from the sensor means~~ reading one of a plurality of identification serial code signals, a first non-volatile memory for storing said one of a plurality of identification serial codes signals, and a radio transmitter, each serial code uniquely identifying the said respective first functional module;

a garment comprising

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an inflatable protective device,

a second functional module comprising

a second power supply unit,

a second programmable logic unit, and

a radio receiver connected to ~~the~~ said second programmable logic unit, ~~the~~ said radio receiver being associated with ~~the~~ said radio transmitter mounted on ~~the~~ said moving means,

a trigger circuit for activating ~~the~~ said inflatable protective device in response to a danger radio signal received from ~~the~~ said radio transmitter,

a second non-volatile memory for managing and storing at least two of ~~the~~ said plurality of identification serial codes signals,

a third functional module associated with ~~the~~ said second functional module, ~~the~~ said third functional module and comprising at least one push-button, a display, and a related driving circuit;

wherein ~~the~~ said third functional module is used by ~~the~~ said user to select ~~the~~ said one of ~~the~~ said plurality of identification serial codes signals identifying ~~the~~ said first functional module associated with ~~the~~ said moving means selected by ~~the~~ said user for use while wearing ~~the~~ said garment in order to activate ~~the~~ said inflatable protective device when danger occurs while using ~~the~~ said moving means.

Drawings

2. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: The figures 1 and 2 lack the suitable descriptive legends according to 37 CFR 37 1.84(o) (See example of figure 1 attached). In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance:

4. The primary reason for allowance of the claims is the inclusion of the elements of *"wherein said third functional module (Figure 2, element 40) is used by the user to select said identification serial code signal identifying said first functional module (Figure 2, element 20) in order to activate said inflatable protective device (Figure 2, element 36) when danger occurs"* in independent claim 11; of *"wherein said third functional module (Figure 2, element 40) is used by said user to select said one of said plurality of identification serial code signals identifying said first functional module (Figure 2, element 20) associated with said moving means (Figure 1, element 10) selected by said user for use while wearing said garment (Figure 1, element 1) in order to activate inflatable protective device (Figure 2, element 36) when danger occurs while using said moving means"* in independent claims 22, 23 and of Applicant' remarks on pages 8-9 received on 04 June 2008. The prior art is also silent of these elements as explained below:

5. Dainese US patent # 6,951,033 B2 discloses only in Figures 1, 3 that, *"The electronic unit 5 (Figure 1) is apt to receive pulses from a plurality of acceleration sensors located onto the jacket 3 and/or onto the motorbike (not shown on the figures) for activating an electrical signal to the solenoid valves of the gas generator 1 so as to trigger a sudden inflation of the pockets 9, 12 and 15 (Figure 3) in the instant in which*

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the motor biker is subjected to a violent impact, or to an accidental fall, (col. 6, lines 31-39; col. 7, lines 23-37)".

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. **Claims 11-23 renumbered as 1-13 are allowed.**

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HAI V. NGUYEN whose telephone number is (571)272-3901. The examiner can normally be reached on 6:00-3:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hai V. Nguyen/
Examiner, Art Unit 2618

/Matthew D. Anderson/
Supervisory Patent Examiner, Art Unit 2618